

**SUMMARY REPORT DIGEST-  
COMPLAINT REGISTER INVESTIGATION NO.:  
CHICAGO POLICE DEPARTMENT**

270029

DATE OF REPORT (DAY-MO.-YEAR)

05 JUL 01

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.  
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS  
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME BEDNAREK Richard F.		RANK SGT	STAR NO. 1174	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 006	
ADDRESS OF INCIDENT [REDACTED]		DATE OF INCIDENT - TIME 18 MAR 01 1150		BEAT OF INCIDENT 0613		LOCATION CODE* 17	
NAME 1. MCCANN JR. EDDIE L.		RANK P.O.	STAR NO. 10791	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 006	
NAME 2. HARPER JERRY		RANK P.O.	STAR NO. 5783	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 006	
ACCUSED	SEX/RACE	D.O.B.	DATE OF APPOINTMENT	DUTY STATUS (TIME OF INCIDENT)		PHYS. COND. CODE†	
	1. M/B	[REDACTED] 49	12 MAY 81	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN 01	
	2. M/B	[REDACTED] 48	01 OCT 80	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN 01	
	IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE	
1. D - N - A							
2. D - N - A							
COMPLAINANTS	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	F/B	[REDACTED] 48	01
VICTIMS	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
	NONE						
WITNESSES	NAME	ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS. COND. CODE†
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	F/B	[REDACTED] 63	01
					M/B	015AYOA	01

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

The complainant's allege that accused #1 verbally abused them by stating, "Shut the fuck up or I will lock your asses up." and also stated, "If you file charges, they will file charges, so what the f\_\_\_ do you all want to do because I'm tired and I want to go home." It is further alleged that accused #1 & #2 failed to arrest the offenders responsible for the battery to complainant's and failed to provide medical attention to complainant's. It is further alleged that the accused failed to notify the Watch Commander regarding releasing four adult detainees and two juvenile detainees, from the 006<sup>th</sup> District, without charging.

**I.A.D. LOCATION CODES\***

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property - Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

**I.A.D. PHYSICAL CONDITION CODES†**

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

\* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases, ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Compliance History will be included as attachments.

ADDITIONAL COMPLAINANTS:

#3) [REDACTED] F/B, [REDACTED] 84, 01  
 #4) [REDACTED] F/B, [REDACTED] 83, 01  
 #5) [REDACTED] F/B, [REDACTED] 84

ADDITIONAL WITNESSES:

#3 [REDACTED] M/B, [REDACTED] 78, 03  
 #4 [REDACTED] F/B, [REDACTED] 53, 01  
 #5 [REDACTED] F/B, [REDACTED] 73, 01  
 #6 [REDACTED] F/B, [REDACTED] 80, 01  
 #7 [REDACTED] F/B, [REDACTED] 54, 01  
 #8 [REDACTED] 67, 01  
 #9 [REDACTED] F/B, [REDACTED] 80  
 #1 [REDACTED] F/B, [REDACTED] 63

CONTINUED ON PAGE 2

ATTACHMENTS	INVESTIGATIVE REPORTS— SUPPORTING ALLEGATION	INVESTIGATIVE REPORTS— SUPPORTING ACCUSED MEMBER(S)	PHYSICAL EVIDENCE	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	LIST ATTACHMENT NUMBERS:	LIST ATTACHMENT NUMBERS:	LIST ATTACHMENT NUMBERS:	
	6, 15, 22, 24, 39, 40, 41 & 42	9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 23, 24, 28, 32	38	Forty-six (46)

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.  
 Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for \_\_\_\_\_ days (not to exceed 5 days).

SEE FINDINGS AND RECOMMENDATIONS ON CONTINUATION

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION) 28 MAR 01  
 DATE COMPLETED (DATE OF THIS REPORT) 05 JUL 01  
 ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS) 99

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

41174

R/Sgt. assigned this investigation on 28 MAR 01. After starting said investigation, R/Sgt. was later informed that CR# 270033 is administratively unfounded (SEE ATT#4) but the allegations alleged in CR# 270033 (SEE ATT#2&3) will be included and investigated with this investigation.

R/Sgt. obtained PCAD printout (SEE ATT#5) showing beat 651 receiving a, "Battery in progress" at [REDACTED]. The remarks related that neighbors were beating each other and man with all black chasing another man with a gun. R/Sgt. also obtained General Offense Case Report (SEE ATT#6) reporting a simple battery. Said case report was signed by P.O. Eddie L. MCCANN #10791 and P.O. Jerry HARPER #5783. A further check of the 2<sup>nd</sup> Watch Attendance & Assignment Record and the Assignment Sheet (SEE ATT#7&8) showed P.O. Eddie L. MCCANN #10791 to have worked beat 651 from 0800-1630 hrs. and P.O. Jerry HARPER #5783 to have worked beat 613 from 0700-1530 hrs. thus identifying the two accused officers.

On 31 MAR 01, at 0955 hrs., R/Sgt. interviewed complainant #1, [REDACTED] (SEE ATT#9). Complainant related that [REDACTED] was involved in a physical fight that occurred in front of [REDACTED]. The incident started between two other individuals but resulted in [REDACTED] being struck. The police arrived on scene and the involved parties, including [REDACTED] were taken into the 006<sup>th</sup> District for further investigation.

Complainant further related that [REDACTED] was later released from the district station and was unaware that a police report (SEE ATT#6) had been filed in this incident. Once informed that a case report had been completed on the date of occurrence, complainant signed a Letter of Declination (SEE ATT#10) relating that she did not wish to pursue this matter any further.

On 08 APR 01, at 0955 hrs., R/Sgt interviewed complainant #4, [REDACTED] (SEE ATT#11). Complainant related that she was involved in a physical fight that occurred in front of [REDACTED]. The initial incident involved herself and [REDACTED] engaging in a physical altercation that quickly grew in number of participating individuals. The police arrived on scene and the involved parties, including [REDACTED] were taken into the 006<sup>th</sup> District for further investigation. Complainant related that she was transported to the 006<sup>th</sup> District station, in the wagon and placed inside a holding cell with another complainant, [REDACTED].

While inside the holding cell, complainant was interviewed by P.O. Eddie MCCANN #10791 and P.O. Jerry HARPER #5783 and that CFD paramedics entered cell and examined her and [REDACTED]. Both parties refused medical treatment at this time.

Complainant was than informed that all involved parties would be arrested on counter complaints if she still wished to press charges at this time. Complainant related that she did not wish to go to jail and declined to sign a complaint at this time. Complainant also related that both her and [REDACTED] were later released from the district station and allowed to go home.

Complainant further related that she no longer wished to pursue this matter with the police department and signed a Letter of Declination (SEE ATT#12) relating that she would seek other legal remedies.

On 08 APR 01, at 0955 hrs., R/Sgt interviewed [REDACTED] (SEE ATT#13). [REDACTED] relating that she did not wish to pursue this matter any further and signed a Letter of Declination (SEE ATT#14).

On 08 APR 01, at 1155 hrs., R/Sgt. interviewed complainant #2 [REDACTED] (SEE ATT#15). Complainant related that she was at her home when [REDACTED] arrived home and informed her that she was involved in a fight. Complainant then used her cell phone to notify other friends and family members about the fight and to meet her there. At no time did complainant call police to report incident but took time to notify others about incident before returning to scene.

Upon arrival on scene, complainant related that she was speaking with [REDACTED] when [REDACTED] approached complainant with a gun in his hand and struck complainant in the head with said gun, knocking her to the ground. Complainant further related that [REDACTED] began to point gun at everyone while making threats. At this time a red vehicle pulled up to scene and another unknown male black subject exited same with another gun in his hand and began assisting [REDACTED] in pointing his gun at others. Unknown male black fled the scene. [REDACTED] and all other participants related to them, fled into their house at [REDACTED]. Upon arrival, the police entered the building at [REDACTED] and emerged a short time later with [REDACTED] and the other involved parties. At no time did the police on scene discover any gun at any time.

Complainant further related that she was placed in the rear of a police squad roll. Also placed in back of squad roll with complainant were [REDACTED] and [REDACTED]. Complainant related that they were each taken out individually from the squad roll and searched by a female officer. While being searched, complainant related that she observed [REDACTED] M/1/15, who was just approaching scene on foot, at which time P.O. Eddie MCCANN grabbed [REDACTED] and threw him against a car. P.O. MCCANN then pulled his gun and pointed the barrel of the gun at the side of his head. At this point complainant was returned to the back of squad roll and did not see the end result of police encounter with [REDACTED]. Complainant additionally related that all these events were witness by her [REDACTED].

Complainant then related that she was transported into the 006<sup>th</sup> District and placed into a holding cell with [REDACTED] and [REDACTED]. [REDACTED] were later removed from the holding cell when the officers discovered they were both juveniles. After being interviewed by the accused officers, a CFD Paramedic arrived and examined complainant's injuries at which time complainant refused medical treatment. Complainant was then informed, by P.O. E. MCCANN, that everyone or no one was going to go to jail. Complainant agreed not to press charges at this time and allowed to return home.

On 08 APR 01, at 1428 hrs., R/Sgt. interviewed witness [REDACTED] (SEE ATT#16). Witness related that he walked up to scene and asked his [REDACTED] what happened. At this point he was grabbed by an unknown police officer who threw him against a car and

pointed the barrel of his gun into his lower back. The officer then asked "Who he was." Witness answered, "That's [REDACTED]." At this point the officer took witness to [REDACTED] and asked him to take him home. Witness further related that he walked across the street at which time the same officer followed right behind and again grabbed him, throwing him against another vehicle and this time pointing his gun at his head. At this time the officer asked, "Do you need me to take you home?." Witness answered, "No" and the officer released him. Witness then walked away from scene.

On 13 APR 01, at 0940 hrs., R/Sgt. interviewed [REDACTED] (SEE ATT#17). Witness was in his residence when he was informed by other family members that [REDACTED] was involved in a fight in front of the house. When he exited his house he observed that the fight was over. [REDACTED] were talking to the involved parties when another lady (now known as [REDACTED]) accompanied by approximately ten other individuals, approached [REDACTED] with a stick in her hand. [REDACTED] began threatening [REDACTED]. At this point [REDACTED] striking her on the left wrist, with the stick. [REDACTED] swung the stick again at [REDACTED] but had the stick taken away by her, at which point, [REDACTED] struck [REDACTED] in forehead with the same stick that [REDACTED] originally had.

After being struck [REDACTED] stated, "You don't know who your fucking with" and began arguing with [REDACTED]. At this point, [REDACTED] picked up a pole, that was wrapped in duct tape and struck [REDACTED] in the arm with same. At this point [REDACTED] pushed [REDACTED] away from [REDACTED] and she fell. [REDACTED] then jumped up from the ground and struck [REDACTED] in the right arm with the pole. [REDACTED] then grabbed the pole and began struggling with [REDACTED] for control of pole. During struggle for pole, [REDACTED] bit [REDACTED] on his left middle finger and on his right ring finger. The fight erupted again at which time [REDACTED] observed another group of individuals approaching, at which time he and [REDACTED] fled into their house. [REDACTED] ran into [REDACTED] and was inside for only a few minutes before the police arrived and entered the apartment. No gun was ever found in the apartment by the police.

After further investigation, [REDACTED] were all taken into the 006<sup>th</sup> District and seated in the viewing room in the station. While in the 006<sup>th</sup> District station, [REDACTED] was interviewed by P.O. Eddie MCCANN and P.O. J. HARPER and a short time later a paramedic entered the room and examined his injured fingers. [REDACTED] refused any medical attention at this time and was later allowed to leave after informing officer E. MCCANN that he did not wish to sign a complaint at this time and just wanted to go home.

R/Sgt. asked [REDACTED] if he ever had a gun during this incident. He answered that at no time did he or anyone else have a gun and [REDACTED] could verify that fact.

On 13 APR 01, at 0940 hrs., R/Sgt. interviewed [REDACTED] (SEE ATT#18). Witness related that while looking out of her front window she observed [REDACTED] were out in front of their building and [REDACTED] had a

pole, wrapped with duct tape in her hand. It was at this point that [REDACTED] pulled up in her car and parked in front of [REDACTED]. She exited her car and [REDACTED] stood in front of [REDACTED] preventing her from entering her building. At this time, [REDACTED] observed [REDACTED] strike [REDACTED] in the left shoulder with the pole and observed [REDACTED] start punching [REDACTED]. Upon seeing this, [REDACTED] shouted that [REDACTED] was being jumped and ran down the stairs.

After exiting building she was able to stop the fight and started talking to [REDACTED]. [REDACTED] was also in front and all subjects were talking. [REDACTED] had fled scene and returned a short time later with [REDACTED] followed by approximately five to eight other people. As [REDACTED] was talking to the involved parties [REDACTED] walked up to them with the pole, wrapped with duct tape, in her hand. At this point, [REDACTED] swing this pole and strikes [REDACTED] in the left wrist with same. [REDACTED] again swung the pole and attempted to hit [REDACTED] another time but this time [REDACTED] was able to grab the pole and take it away from [REDACTED]. Upon getting possession of pole, [REDACTED] struck [REDACTED] in the forehead with same.

[REDACTED] then shouted, "You don't know who your fucking with." At this point [REDACTED] began arguing and standing nose to nose with [REDACTED] after which [REDACTED] picked up another stick from the ground and stuck [REDACTED] in the right upper arm with same. At this point [REDACTED] pushed [REDACTED] away from [REDACTED]. [REDACTED] fell to the ground but quickly jumped up and stuck [REDACTED] in the right arm with the stick. At this point, [REDACTED] grabbed the stick and while trying to take the stick away from [REDACTED], she bite [REDACTED] on the left hand middle and ring finger.

At this point [REDACTED] saw a large group of people coming down the street towards them and told her family to get into the house. A few minutes after entering her apartment building, [REDACTED] heard a loud knocking on the front door and opened same for the police. [REDACTED] and [REDACTED] were placed in the same police car as [REDACTED].

All were driven into the 006<sup>th</sup> District where they were sat in the viewing room. While in the viewing room, a Chicago Fire Department Paramedic arrived on scene and looked at the bite marks on [REDACTED]'s fingers. At that time, [REDACTED] refused any medical aid. A short time later P.O. E. MCCANN interviewed them and informed them that if they wished to press charges, then all parties involved would be arrested. It was then that [REDACTED] related that they did not want to sign a complainant at this time. A short time later, all were allowed to leave the 006<sup>th</sup> District Station and walked home.

On 13 APR 01, at 0940 hrs., R/Sgt. interviewed [REDACTED] (SEE ATT#19). [REDACTED] related that she was looking out of the front window, at [REDACTED] when she observed that [REDACTED] were out in front of their building and [REDACTED] had a pole, wrapped with duct tape in her hand.



[REDACTED] then observed [REDACTED] drive up in her car and park in front of the building. After exiting her car [REDACTED] attempted to walk into the building. At this point, [REDACTED] stood in front of [REDACTED] preventing her from entering her building. [REDACTED] continued to look out of the window and saw [REDACTED] strike [REDACTED] in the left shoulder with the pole and observed [REDACTED]. After seeing this, she ran down the stairs with [REDACTED].

After exiting building [REDACTED] and [REDACTED] were able to stop the fight and started talking to [REDACTED].

[REDACTED] was also in front and all subjects were talking. [REDACTED] had fled scene and returned a short time later with [REDACTED] and approximately five to eight other people. It was at this time that [REDACTED] walked up to them with the pole, wrapped with duct tape, in her hand. At this point, [REDACTED] swung this pole and struck me on the left wrist. [REDACTED] again swung the pole but this time I was able to grab the pole and take it away from [REDACTED]. Upon getting possession of pole, [REDACTED] struck [REDACTED] in the forehead with same.

[REDACTED] continued to relate the events that paralleled [REDACTED] account of the events that had transpired relating to [REDACTED] being the aggressor in the confrontation. R/Sgt. asked if there was anything else that she wanted to tell me about. [REDACTED]

[REDACTED] related that the owner of the building [REDACTED] saw the incident.

On 13 APR 01, at 0940 hrs., R/Sgt. interviewed [REDACTED] (SEE ATT#20).

[REDACTED] related that she was driving in her car with [REDACTED]

and [REDACTED]. She parked her car at [REDACTED] and saw [REDACTED]

and [REDACTED] were out in front of her building and [REDACTED] had a pole, wrapped with duct tape in her hand. [REDACTED] exited her car and started to walk

towards her house. At this point, [REDACTED] stood in front of [REDACTED]. She attempted to walk past them and it was at this point that

[REDACTED] struck [REDACTED] in the left shoulder with the pole and [REDACTED] started punching [REDACTED] with her fists. [REDACTED] was fighting off her attackers when [REDACTED] and [REDACTED] broke the fight up.

[REDACTED] was talking to the combatants when [REDACTED] who had fled scene shortly after the fight had started, returned with [REDACTED] followed by approximately five to eight other people. As [REDACTED] was talking to the involved parties

[REDACTED] walks up to them and now has the pole, wrapped with duct tape, in her hand. At this point [REDACTED] swung this pole and strikes [REDACTED] on the left wrist with same.

[REDACTED] again swung the pole and attempted to hit [REDACTED] another time but [REDACTED] was able to grab the pole and take it away from [REDACTED]. Upon getting possession of pole, [REDACTED] struck [REDACTED] in the forehead with same. [REDACTED]

[REDACTED] then shouted, "You don't know who your fucking with," and began arguing with and standing nose to nose with [REDACTED]. During this argument, [REDACTED] picked up

another stick from the ground and stuck [REDACTED] in the right upper arm with same. At this point [REDACTED] rushed in and pushed [REDACTED] away from [REDACTED] while stating, "Don't hit my mother." [REDACTED] fell to the ground but quickly jumped up and stuck [REDACTED] in the right arm with the stick. At this point [REDACTED] grabbed the stick and while trying to take the stick away from [REDACTED] she bite [REDACTED] on the left hand middle and ring finger.

At this point [REDACTED] heard [REDACTED] telling them to get into the house and started walking into the house. Upon entering the house she heard [REDACTED] open the door for the police. [REDACTED] and [REDACTED] were placed in the same police car as [REDACTED]. All were driven into the 006<sup>th</sup> District where they were sat in the viewing room. While in the viewing room, a Chicago Fire Department Paramedic arrived on scene and looked at the bite marks on [REDACTED] fingers. At that time [REDACTED] refused any medical aid. A short time later P.O. E. MCCANN interviewed them and informed them that if they wished to press charges, than all parties involved would be arrested. It was then that [REDACTED] and [REDACTED] related that they did not want to sign a complainant at this time. A short time later, all were allowed to leave the 006<sup>th</sup> District Station and walked home.

On 13 APR 01, at 1050 hrs., R/Sgt. interviewed [REDACTED] (SEE ATT#21). [REDACTED] related that on 18 MAR 01 she was getting ready for church when she heard loud noise out in front of her building. She looked out of her front window and observed [REDACTED] with a pole in her hand fighting with [REDACTED]. [REDACTED] continued to get ready for church and again heard another noise out in front and again looked out of her front window and this time observed [REDACTED] striking a vehicle rear window with the same pole she had in her hand earlier. Said window failed to brake. [REDACTED] again continued to get ready for church and looked out of the window a third time and observed a red vehicle speeding down the street. At this time, [REDACTED] left her home and drove to church.

On 14 APR 01, at 1215 hrs., R/Sgt. interviewed [REDACTED] (SEE ATT# 22). [REDACTED] related that [REDACTED] jumped out of her car with a stick in her hand and started fighting. She further related that she, [REDACTED] and [REDACTED] attempted to get into [REDACTED] house but where unable to get. At that point I ran home to tell [REDACTED] what had happened.

[REDACTED] returned with her to scene of the fight but the fight was already over. It was at this point that [REDACTED] came out of his house with a black gun in his hand and said he would shoot our mother fucken asses as he pointed the gun at everyone one scene. At this point, [REDACTED] struck [REDACTED] in the head with the gun and she fell to the ground. Upon the arrival of police [REDACTED] directed officers to the location in which they fled. The police entered the building at [REDACTED] and emerged a short time later with [REDACTED] and the other involved parties. At no time did the police on scene discover any gun at any time. Complainant further related that the police conducted an



investigation at which time she was placed in the rear of a police squad roll. Also placed in back of squad roll with complainant were [REDACTED] and [REDACTED]. Complainant related that they were each taken out individually from the squad roll and searched by a female officer and placed back inside of squad roll.

R/Sgt. asked if she observed any police action that might be violent in nature. [REDACTED] related that while in the back of squad roll she was unable to see anything that was happening outside.

Complainant then related that she was transported into the 006<sup>th</sup> District and placed into a holding cell with [REDACTED]. A short time later, when the officers discovered they were both juveniles, she and [REDACTED] were removed from the holding cell and placed in the youth office detention area. After being placed in the juvenile detention area of the 006<sup>th</sup> District with [REDACTED] complainant waited for approximately one hour before being allowed to return home with [REDACTED].

On 17 APR 01, at 1450 hrs., R/Sgt. interviewed [REDACTED] via bell (SEE ATT#23). [REDACTED] related that on 18 MAR 01 he was informed that his sister was involved in a fight in the 8100 block of south Peoria. [REDACTED] walked to said location and upon his arrival observed the numerous police cars on scene and observed [REDACTED] in the back of the squad roll.

R/Sgt. asked if he observed any police officer physically hold or point a gun at [REDACTED]. [REDACTED] related that he did not see any police officer do anything to [REDACTED] or do anything out of the ordinary while he was on scene. R/Sgt. informed [REDACTED] of the allegations made by [REDACTED] was making against the police and [REDACTED] related that nothing he did not observed any unusual actions by any police officer.

On 18 APR 01, at 1330 hrs., R/Sgt. interviewed [REDACTED] via bell (SEE ATT#24). [REDACTED] related that she was a passenger in a car being driven by [REDACTED]. Also in the vehicle was [REDACTED]. [REDACTED] parked the car in front of her house on Peoria and we observed three girls, standing in front of [REDACTED] house. One of the girls had a pole, wrapped in duct tape, in her hand.

[REDACTED] exited the car with [REDACTED] but I stayed inside the vehicle. As [REDACTED] walked towards her house, the three girls stood in front of her, blocking her way. At this point, the girl with the pole in her hand swung the pole at [REDACTED] and they started fighting.

People started to come out of their houses while [REDACTED] and the other girl continued fighting. The fight was stopped and [REDACTED] was talking to the involved parties. A short time later, another woman arrived on scene and started to argue with [REDACTED]. This lady was in [REDACTED] face arguing with her at which point she struck [REDACTED] in the arm with a stick and began fighting again.

At this point [REDACTED] rushed in and pushed the lady away from [REDACTED].

[REDACTED] while stating, "Don't hit [REDACTED]. The lady fell to the ground but quickly jumped up and stuck [REDACTED] in the right arm with the stick. At this point [REDACTED] grabbed the stick and while trying to take the stick away from her, she bit [REDACTED] on the left hand.

At this point [REDACTED] heard [REDACTED] telling them to get into the house and started walking into the house. As they were going into the house they heard [REDACTED] shout "Motherfuckers are scared now, why you running in the house." Upon entering the house [REDACTED] heard a knock at the door and heard [REDACTED] open the door for the police. It was at this point that the police informed her of the allegation of the gun being displayed. The police looked for but did not find any gun.

[REDACTED] and [REDACTED] were both placed in the back of a police car and transported into the police station. [REDACTED] and [REDACTED] were placed in a holding cell next to the holding cell where the other participants in the fight were being held. After approximately one hour, [REDACTED] and [REDACTED] were released from the holding cell and allowed to leave the police station. R/Sgt. asked [REDACTED] if she knew how to contact [REDACTED] and she related that [REDACTED] did not have a phone and that [REDACTED] moves around a lot. [REDACTED] usually called them or showed up at their house. We never call her or go to her house.

R/Sgt. made numerous attempts to contact complainant [REDACTED] at her residence, including sending Certified Letter (article [REDACTED]) but as of 27 JUN 01 no contact or response has resulted. On 27 JUN 01 another Certified Letter (article [REDACTED]) was sent to complainant. R/Sgt. received Certified Letter Return Receipt (SEE ATT#38) from Complainant #5 (D. GUIDER). As of this report, R/Sgt. has received no response from this complainant.

R/Sgt. served P.O. J. HARPER with Notification of Charges/Allegations, Administrative Proceeding Rights and Waiver of Counsel/Request to Secure Counsel (SEE ATT#25,26&27). P.O. J. HARPER presented his To From Report (SEE ATT#28) relating that he responded to an O.E.C. radio assignment of, "Battery in progress." Upon arrival he assisted P.O. E. MCCANN in transporting subjects into the 006<sup>th</sup> District. While in the 006<sup>th</sup> District, all injured subjects were examined by CFD Paramedics at which time all subjects refused medical attention. P.O. J. HARPER then assisted P.O. E. MCCANN further by completing a General Offense case report (SEE ATT#6). After learning that all involved parties had refused to sign complaints, P.O. J. HARPER completed the case report and left the district station, returning to patrol duties.

R/Sgt. served P.O. E. MCCANN with Notification of Charges/Allegations, Administrative Proceeding Rights and Waiver of Counsel/Request to Secure Counsel (SEE ATT#29,30&31). P.O. E. MCCANN presented his To From Report (SEE ATT#32) relating that the allegation that he verbally abused complainants, "is not true at all." He further relates that the complainants refused to sign complaints and that two CFD ambulances were called to the 006<sup>th</sup> District where all complainants refused to be transported to the hospital for treatment. The accused further reports that the four detainees were held in the holding cells due to an order posted in the C.O.

Book instructing officers to only conduct investigations in the preprocessing room for security purposes. He further relates that all detainees accompanied him into the 006<sup>th</sup> District station voluntarily, they were not handcuffed, the holding cell doors were not closed and that the complainants were free to leave at any time. The accused further relates that he completed Field Contact Cards to further document the complainants presence in the 006<sup>th</sup> District.

After interviewing all complainants and witnesses, R/Sgt. has determined that Complainants #2, 3, & 4 were not truthful or consistent in their description of events. Complainant #2's [REDACTED] own witness, Witness #8 [REDACTED] directly refutes her version of the events. Complainant #2 related that Witness #8 observed and could corroborate her accusations but upon interviewing Witness #8 he directly contradicted everything Complainant #2 alleges to have occurred stating that, "he did not observed any unusual actions by any police officer." Additionally, Complainants #3 & 4 both relate that Witness #6 [REDACTED] was the aggressor and exited her vehicle with a pole in hand. R/Sgt's interview of Witness #7 (D. [REDACTED]) clearly and independently places the pole in Complainant #4's hand while fighting Witness #4, in direct contradiction to Complainant #3 & 4's version of events. Further discrediting Complainants #3 & 4's credibility is the fact that Complainant #4 resides on the west side of Peoria and the confrontation occurred on the east sidewalk of Peoria, in front of the house of Witness #6. Complainant #3 & 4 had no reason but to create a confrontation for being in front of Witness #6's house.

All Complainants and Witnesses confirm that they were transported into the 006<sup>th</sup> District Station by police wagon and car. Complainants #2 & 4 and Witness #9 were placed in the locked holding cell in the preprocessing area of the 006<sup>th</sup> District. Complainant #3 & 5 were originally placed in holding cell with Complainants #2 & 4 but were transferred to the youth office when their exact age was discovered. All subjects were examined by a CFD Paramedic but declined to receive further medical treatment fearing a delay in booking process. Furthermore, all involved parties refused to sign complaints when they were informed that cross complaints would be utilized in this incident.

All witnesses and complainants confirm the fact that four adult subjects were placed in a secured holding cell inside the preprocessing area and two juvenile subjects were detained in the youth office of the 006<sup>th</sup> District. At no time was the Watch Commander notified that the subjects were to be released without charging. No arrest report was filed for any of the detainees or was any notation made in the case report (SEE ATT#6) as to the Watch Commander being notified and the subjects being released without charging.

Accused #2 (P.O. HARPER) played a minor role in this incident in that he assisted accused #1 (P.O. MCCANN) in writing the case report (SEE ATT#6) after being requested by accused #1 to assist in transporting subjects into the 006<sup>th</sup> District. After completing said tasks, accused #2 left the 006<sup>th</sup> District Station.

R/Sgt. received accused #1's To From Report (SEE ATT#32) on 05 JUL 01. R/Sgt. obtained the Field Contact Cards submitted by accused #1 (SEE ATT#39) and notes that the only

entry in all narratives is, "Subject involved in fight, refused to sign complaints." No information is recorded as to anyone voluntarily accompanying anyone into the 006<sup>th</sup> District station. R/Sgt. further notes accused #1's written statement of, completing Field Contact Cards to further document the complainant's presence in the 006<sup>th</sup> District. Field Contact Cards are to be completed in the field to document and justify the temporary detention of a subject for questioning. Not to document the complainant's presence in the 006<sup>th</sup> District.

Accused #1 further relates that complainant's were not handcuffed, the holding cell doors were not closed and that they were free to leave at any time. To enter the preprocessing area of the 006<sup>th</sup> District, a numeric code must be entered to unlock the main door. Despite the fact that the holding cell doors may have been left open, any person in the preprocessing area would not be free to leave at any time due to the locked main access door.

Accused #1 further relates that an order was placed in the 006<sup>th</sup> District C.O. Book instructing all officers to only conduct follow-up investigations in the preprocessing area. R/Sgt. audited the old 006<sup>th</sup> District C.O. Books and did not find any posted order confirming the accused's claim. R/Sgt. did find two different entries (SEE ATT#40&41) relating that all prisoners will be processed in the preprocessing area and included facilities eliminate the need to take them out of the preprocessing area. This reinforces the fact that only people in custody are taken into the preprocessing area. No individual who voluntarily accompany any police officer would be allowed to enter same nor would a subject be free to voluntarily leave without being let out by a police department employee who knows the numeric access code.

Given the prior mentioned facts discovered in this investigation, R/Sgt. reaches the following conclusions.

**ACCUSED #1) P.O. EDDIE L. MCCANN JR. #10791**

**ALLEGATION #1**

**FINDINGS:"not sustained"**

R/Sgt. is unable to either prove or disprove if accused #1 verbally abused complainants.

**ALLEGATION #2**

**FINDINGS:"not sustained"**

R/Sgt. is unable to either prove or disprove if accused #1 failed to arrest offenders in that all complainants interviewed stated that they refused to sign complaints to avoid a cross complainant situation.

**ALLEGATION #3**

**FINDINGS:"unfounded"**

The allegation is false in that all complainants were examined by CFD Paramedics while in the 006<sup>th</sup> District station but refused medical attention at that time.

ALLEGATION #4  
FINDINGS:"sustained"

Violation of Rule #6. Accused #1 failed to notify the on duty Watch Commander of six (6) detainee released from the 006<sup>th</sup> District without charging (G.O. 92-05 VII. C. 4. b.) and failed to fill out arrest reports on said detainees (G.O. 92-05 IV. D. 1 & 2).

RECOMMENDATION:

After considering accused #1 complimentary and disciplinary history, R/Sgt. recommends that accused #1 be suspended for five (5) days.

ACCUSED #2) P.O. JERRY HARPER #5783

ALLEGATION #1  
FINDINGS:"not sustained"

R/Sgt. is unable to either prove or disprove if accused #2 failed to arrest offenders in that all complainants interviewed stated that they refused to sign complaints to avoid a cross complainant situation.

ALLEGATION #2  
FINDINGS:"unfounded"

The allegation is false in that all complainants were examined by CFD Paramedics while in the 006<sup>th</sup> District station but refused medical attention at that time.

ALLEGATION #3  
FINDINGS:"sustained"

Violation of Rule #6. Accused #2 failed to notify the on duty Watch Commander of six (6) detainee released from the 006<sup>th</sup> District without charging (G.O. 92-05 VII. C. 4. b.) and failed to fill out arrest reports on said detainees (G.O. 92-05 IV. D. 1 & 2).

RECOMMENDATION:

After considering accused #2 complimentary and disciplinary history, R/Sgt. recommends that accused #2 be suspended for one (1) day.

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Sergeant Richard Bednarek #1174

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